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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,104	01/25/2002	Yasushi Takahashi	450101-02478	9637
20999	7590	05/15/2006	EXAMINER	
FROMMER LAWRENCE & HAUG			PITARO, RYAN F	
745 FIFTH AVENUE- 10TH FL.			ART UNIT	
NEW YORK, NY 10151			PAPER NUMBER	

2174

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/914,104	Applicant(s) TAKAHASHI, YASUSHI	
	Examiner Ryan F. Pitaro	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1 and 17 have been examined.

### ***Response to Amendment***

2. This communication is in response to Amendment B filed 2/21/2006. Claims 1 and 17 have been amended.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boreczky et al ("Boreczky", US 6,366,296) in view of Moeller et al ("Moeller", US 6,353,632).

As per claim 1, Boreczky discloses a screen control method applied to a continuous video image display phase for displaying on a screen a feature video image consisting of continuous video images and an extracted video image display phase for sequentially displaying on the screen a plurality of sets of extracted video images

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obtained by extracting predetermined parts of the feature video image (Column 14 lines 20-30), the method comprising the steps of: displaying a first screen having at least a first video image display area, a first video image transition display area and a first switch input area, in the extracted video image display phase (Figure 1); displaying one of the plurality of sets of extracted video images replayed on the basis of a current video image recording position, in the first video image display area; displaying, in the first video-image transition display area (Figure 1 item 1), a video image transition graph showing the transition of the video image recording position of the feature video image (Figure 1 item 3), a mark superimposed on the graph at the video image recording position corresponding to each of the extracted video images (Column 4 lines 54-57), and a cursor which constantly updates with the lapse of time the current video image recording position in the extracted video image currently displayed in the first video image display area (Column 4 lines 47-54) and which enables shift of the current video image recording position to an arbitrary video image recording position in an arbitrary one of the extracted video images (Column 4 lines 47-54) wherein the video image transition graph is a function of semantic evaluation (Column 7 lines 18-62, Column 8 lines 30-36); displaying in the first switch input area a first button which enables input of an instruction to shift from the first screen to a second screen displayed in the continuous video image display phase while cutting out and holding the current video image recording position (Column 5 lines 25-49); displaying a second screen having at least a second video image display area (Figure 1 item 1), a second video image transition display area and a second switch input area, in the continuous video image

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display phase ; displaying the feature video image replayed on the basis of the current video image recording position (Column 14 lines 20-30), in the second video image display area; displaying, in the second video image transition display area, a video image transition graph showing the transition of the video image recording position of the feature video image (Column 12 lines 22-27), and a cursor which constantly updates with the lapse of time the current video image recording position in the feature video image currently displayed in the second video image display area and which enables shift of the current video image recording position to an arbitrary video image recording position in the feature video image (Column 4 lines 47-54) wherein the second video image transition graph is a function of semantic evaluation (Column 7 lines 18-62, Column 8 lines 30-36); displaying in the second switch input area a second button which enables input of an instruction to shift from the second screen to the first screen displayed in the extracted video image display phase while cutting out and holding the current video image recording position (Column 5 lines 25-49); and shifting between the extracted video image display phase and the continuous video image display phase on the basis of each of the instructions inputted during the display of the first button or the second button, so as to display either the first screen or the second screen (Column 14 lines 20-30). Boreczky teaches switching the key playback controls 6-1, 6-2, 6-3 with an icon 9, but fails to distinctly point out two different screens. Therefore Official Notice is taken that the use of two similar display screens is well known in the art, developers often use two screens instead of one in order to reduce clutter on the screen and so that a main display screen is kept consistent throughout the interface. Therefore it would

have been obvious to an artisan at the time of the invention to combine the method of Boreczky with the current teaching. Motivation to do so would have been to provide a user with less screen clutter by using two display screens. Boreczky also fails to distinctly point out changing the length of the video images by adjusting a threshold. However, Moeller teaches changing the length of the extracted video images being displayed by adjusting a threshold semantic value (Column 5 line 26 – Column 6 line 7). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Moeller with the method of the modified Boreczky. Motivation to do so would have been to provide a real time video time editing environment to contract or expand the length of the video to match the desired length of the user.

Claim 17 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 and 17 have been considered but are moot in view of the new ground(s) of rejection.

The Office notes that the Applicant did not contest the factual assertion set forth by Official Notice in claims 1 and 17 of the office action dated 4/6/2005.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner  
  
RFP

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